

Public Relations, Information, and Education

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Public Relations, Information, and Education

11-01 ANNUAL REPORT

A. Purpose

The chief judge should cause to be prepared a comprehensive account of the activities of the court on an annual basis. Format for annual reports may vary but should include:

1. an explanation of court organization and operations;
2. a summary of court activities;
3. an accounting of public funds; and
4. a discussion of court priorities, goals, and objectives.

The annual report should serve as a foundation for good relations with the press, taxpayers, and county commissioners. A sense of integrity and accountability can be fostered by a full report on court activities.

B. Distribution

County officials, court staff, judges, and the State Court Administrator should receive a copy of the report. For maximum impact the report could be subsequently released to the local bar president, media (newspaper, radio, television), and county and school libraries. Copies should be available for the public in the court office. The media copies may also be accompanied by a press release highlighting any interesting or significant points.

11-02 MEDIA RELATIONS

A. Structure and Psychology of Various Media

1. Working Definition of "News" and How it Relates to the Courts

What the reporter, the editor, or the news director estimates to be news is not what may seem logically newsworthy to the courts.

Since media is in business, they want to appeal to their particular market or audience and the demographics of that market will determine the reporter's, editor's, or the news director's decision as to what "news" is, how much coverage it should get, and how it should be covered.

News is a matter of subjective judgment and reflects elements brought out by the media in order to affect their market. Some of these elements are controversy, human interest, conflict, drama, entertainment, and timeliness.

2. Composing a News Story

a. Limits Imposed on the Reporter

Due to limited writing space and limited broadcast time, the reporter must simplify or oversimplify a story down to the most dramatic elements. As a result, the facts and details which point up the elements of controversy in a story are selected and the negative side is often concentrated on. The reporter is not necessarily biased; it is easier to find drama in bad news than in good news. Under the pressure of deadlines, what is easier is considered better.

b. Deadlines and Their Impact on the Facts

Reporters deal in fact, not eternal truths. If they are on deadline and cannot obtain quotes from everyone, they will use what they have even if the story is unbalanced. If reporters are denied communication with someone involved in a story, they are forced to interview another individual who might have a totally different perspective on the story. The result can often be rumors, half truths, distortions, and misrepresentations.

c. What Reporters Look for in a Source

Reporters like sources who can give them the following:

- 1) understandable, accurate information . . . not complicated facts couched in legalese.

- 2) colorful quotes . . . succinctly summarizing the idea.
- 3) authoritative comments on the effect of the news on their audience.
- 4) responses before their deadline.

3. Basic Differences Between Print and Electronic Media

There six built-in advantages and disadvantages between print and electronic media.

- a. Print media are generally regarded as more accurate in reporting the news, primarily because the number of column inches allocated to print stories permits more facts to be presented there than on radio and television.

Television and radio are basically headline services. It is not unusual for them to reduce your comments on a breaking news story to one sentence; sometime no longer than 35 to 40 seconds.

- b. With print media, you can usually count on a reporter who has a particular "beat", and therefore, has more background than a television reporter. It is unwise to take this for granted, however. It is wise to determine in advance how familiar the reporter is with a trial, issues, or whatever the subject of the interview is if possible.

64% of reporters in a recent survey for the American Management Association agreed that the greatest cause of inaccurate stories is their lack of thorough research of the topic.

- c. With print media, what is said is usually more important than how it is said. With television, the emotional content is more powerful, as is the personal impression you leave.

Don't overlook, however, the impression that you personally make on the print reporter. S/he has a lot more time to spend with you, to get to know you, and maybe to "wear you down" to get the quote s/he is after. If you appear to be less than honest and open (uninformed, angry, etc.), that impression of you can be carried into the story.

- d. With print media, you can usually take a moment to think, organize your thoughts, and even refer to your notes without detriment, making your job a little easier with statistical dates, etc. With television you have to have all the facts simplified at your fingertips. If you don't, you will look uninformed.

However, with print media, the reporter has far more opportunity to pursue lines of questioning, delve more deeply into your facts, and therefore, you run the risk of contradicting yourself or appearing uninformed if your facts aren't straight.

- e. Print deadlines are usually a little longer than for television interviews, and facts given a reporter can often be verified or corrected by phone following the interview. To make major changes in information is dangerous, however, as it suggests a coverup or that you were uninformed.
- f. With print media, you generally have more preparation time. It's usually easy to return a reporter's call in a few minutes. It is harder to refuse a television crew waiting for you in your lobby, a hallway, or as you get out of a car.

B. Effective Interaction with the Media

There are a number of tips for having a successful interchange with print reporters. Below are 26 suggestions.

1. Inform your secretary that you are always to be notified in the event of a media call. You can then decide how best to respond. Because of reporters' deadlines, it is important that media calls should never stop at your secretary's desk.
2. Before the interview, be sure that you determine how familiar the reporter is with the subject, what his/her previous stories indicate about possible biases, and what the reporter's "angle" appears to be on this story.
3. Determine the most likely questions and have answers prepared for them.
4. Decide which major points should be covered in relation to the topic.
5. Do your homework, and have the facts handy. With print media, you have the luxury of being able to go to your reference material should you have to.
6. If you don't know an answer or aren't sure, don't guess. Say, "I'll find that out and get back to you." And then get back. Remember, deadlines are everything to a reporter.
7. Be brief. Try to simplify the information for the reporter. S/he's going to have to simplify it anyway for readers. Avoid legalese or complex ideas. Better to present your information in a form that the reporter doesn't have to alter too much. Less gets lost in the translation that way.
8. Try to use anecdotes to illustrate your concepts. Anecdotes aid in getting your point across. Because they spice up the interview, reporters are likely to use them.
9. While a friendly, relaxed manner is desirable, a sense of humor is dangerous during an interview. Flip or funny remarks are the ones most likely to be taken out of context and put in the headline.
10. Don't volunteer information on sensitive subjects. Reporters are bound to ask you to go more deeply into any subject you bring up.

11. If you can't talk about a subject, say so -- and then say why you can't talk about it. Offer to get back to the reporter when things change, or offer them something related that might be equally interesting. Never say "no comment." That sounds like a coverup, and the reporter is sure to think s/he's on to something.
12. Don't say anything you don't want to see in print. Even if you qualify it, chances are that your quote will appear out of context -- in bold type, right under the headline of the story. Reporters have a way of taking things out of context as part of the oversimplification process of the news. The best way to avoid this is to speak in simple, straightforward sentences. Avoid disclaimers tacked on to the beginning or end.
13. We all know that going "off the record" can be an invitation to disaster unless there's complete agreement between you and the reporter, you know the reporter, you trust the reporter, and the reporter is trustworthy. But sometimes we forget that small talk before or after the interview is always "on the record" unless otherwise specified. The safest thing is not to say anything to the reporter, at any time, that you don't want attributed to you directly or woven into the article, even without your name attached to it. The reporter will want to make small talk before the interview to relax you and build some rapport so that s/he can get a better story. That's his/her job. Don't confuse it with empathy or friendship. Don't confuse his/her interests with yours. They are different.
14. Beware of the "inside information" technique. Some media like to use "The Jack Anderson Trap." The reporter tries to make you believe s/he's got "inside information" which proves his/her hot, breaking story or premise. The way to handle this ploy is to say that you haven't heard the rumor but that you'll be glad to check it out and get back to him/her. Do not comment on the rumor because this immediately gives it credibility. This "inside information" technique is used by reporters to create conflict.
15. Beware, also, of the "negative choice" question. Some reporters try to pin you between two undesirable alternatives. This "either/or" ploy could well result in a quote from you being taken out of context for the story. Don't even repeat the "either/or". Just decide what points you want to make -- and make them directly.
16. Don't be tempted to throw your weight around. It usually backfires. It's better to establish a good rapport with reporters, to help them develop good stories, and to educate them.
17. Never intentionally humiliate reporters. If they've made a mistake, go back to them, courteously point out the mistake, establish the facts, and ask for a correction. Contact the editor directly only if the mistake is really serious and you can't get satisfaction from the reporter. These are very sensitive situations and should be considered on a case-by-case basis. Knee-jerk reactions are usually unproductive. Cool off before you contact reporters or their editors.

18. Try to be available whenever needed. Reporters have to file a story. They'd rather get a statement from you than print a prepared statement or go to other sources.
19. You can offer to review any technical information or provide additional information to the reporter, but never ask to see the story before it's printed. Reporters consider this demeaning and insulting.
20. Don't evade negative questions. Instead, restructure them so that you can "bridge" to the points you want to cover. Example: "It may appear that way to you, but the real issue here is . . ." and then go on to make your point. Remember that you needn't accept the reporter's premise and respond to it --especially if the premise is "loaded". You can restructure the question into one that you can answer fairly.
21. Listen to the reporter before you talk. Make sure you understand the question. Where is the reporter coming from? What does the reporter seem to be trying to get at? "Advocacy journalism", in which the reporter takes a position, is increasing and will continue to do so according to a recent survey of national editors. In fact, in the AMA survey cited earlier, 20% of the reporters polled agreed that by the time they made their first call, they usually had a slant on the story.
22. If reporters ask you a two- or three-part question, stop and make them ask each part one at a time. You should understand the question completely before making any response -- especially since such questions are often a ploy to throw you off balance.
23. If you're approached by a reporter, you have the right to know what publication the reporter represents and what the topic of the questioning will be before you consent to be interviewed. Although your press calls will be screened while you're at the office, you won't have that luxury when speaking or attending meetings outside. If you prefer not to be interviewed at the moment, ask the reporters when you can get back to them. And then follow up as agreed.
24. A point to remember while speaking in public is to always assume that there is a member of the news media in the audience. Then you won't say anything that you don't wish quoted.
25. Exclusive interviews can be granted judiciously to the news outlet that best covers your target audience. Exclusives must be respected and not given to other outlets until the exclusive story is run. Knowledge of the media is very important in deciding whether to grant exclusives. Exclusives are not usually given in the case of breaking news, and it is important to treat news media fairly in terms of response statements. In negative, breaking-news situations, when and to whom you respond must be planned very carefully.
26. When in doubt about any media inquiry or media-related situation, call on the State Bar's internal public relations staff for counsel.

In dealing with television, keep the following tips in mind:

1. First impressions are critical. Remember that reporters and interviewers are "well known" to their viewers. The viewers consider them as friends. So start studio interviews with a friendly smile and a "thank you" to the interviewer, addressing that person by first name. Project that you two are friends. This will help you establish your likability and share the interviewer's credibility with the viewers. In hard news interviews, get directly to the point but remain friendly.
2. Eye contact is essential to credibility. Maintain it through the interviewer's questions and into the first part of your answers. To the viewers, this indicates that you believe what you are saying; that you aren't evading the issue.
3. Speak up . . . clearly and distinctly. Keep your speaking pace even to avoid either slurring words together or hanging on any one of them too long.
4. Use gestures to visually punctuate important words. Keep the gestures high enough to be seen (shoulder level), then drop them after you've made your strong point.
5. Expand the range of your voice to color important points. Let your message sink in with a momentary pause.
6. If interviewed in a chair, don't swivel or lean to one side. Keep fairly erect with a slightly forward tilt. It will help you maintain your energy level and indicate your interest.
7. Keep your answers short, simple, and free of legalese. Start with the central point, then elaborate. Wherever possible, use comparisons or illustrations familiar to the public.
8. Anticipate negative questions and have answers prepared in advance when possible. If damaging issues surface, concede only what you must, in the briefest way, then describe what positive steps are now underway to handle the problem. Concentrate on the solution -- not the problem.
9. Prepare in advance two or three points you want to make. Rehearse them out loud and try to steer into them after answering other questions, using such transitional phrases as "and I'm often asked . . ." or "just as important is the fact that . . .".

Additional tips in handling radio telephone interviews are:

1. Ask whether the interview is to be aired live, taped, or as excerpted (edited) tape. If it is a tape to be edited for newscasts, it is essential to keep your answers within 10 to 20 seconds in length. Get right to the point!

2. Ask whether you can use the interviewer's name in your responses.
3. Turn off any noise makers like air conditioners in your office. Cut off other telephone calls and close your office door . . . all in the interest of clean sound and avoiding interruptions to your train of thought.
4. Pump up your energy level, sit up straight in your chair, and use gestures while you talk. Treat this just as you would a talk or an interview before a live radio or television audience.
5. Don't treat the telephone like a bull horn. Speak in normal tones over the mouthpiece, not directly into it, to avoid popping your "p's" or hissing your "s's".
6. Eliminate those audible pauses ("uh's"). They sound worse on radio than anywhere else. Silence sounds better.
7. Avoid statistics and numbers generally unless they are absolutely essential to your point. If you must use them, round them off and use them sparingly.
8. With broad or general questions, use the opportunity to include in your answer the points you want to stress. Be responsive, but steer your answer to whatever point you feel is important to make.
9. If you have reason to expect to be called for an interview, take the time to anticipate questions you could be asked, then prepare answers in advance. It will save many agonizing moments, you will give your interviewer a better interview, and you will avoid the risk of being misquoted through the editing of a long or wandering response.
10. Obtain agreement in advance to allow you to correct your taped answer while recording and/or to call the reporter back with updated information before airing in the interest of accuracy.

C. Conclusion

Ninety percent of news interviews are basic fact-finding, non-threatening experiences. Go into the interview with the attitude that you are there to be helpful and that you share many of the reporter's interests and concerns. If you educate the reporter, you will end up with more balanced stories, with more knowledgeable reporters, with a public that better understands the issues, and with satisfaction on your part that you have helped advance the administration of justice. [Werba, Gabriel. "Dealing with the Media", 28th Annual Judicial Conference (September, 12, 1985), Detroit, Michigan.]

Two guides to effective court/media relations are:

1. National Association for Court Management Media Guide (see page 2-09-02 for address).
2. American Bar Association Guide to Educating the Public About the Courts.

11-03 MEDIA IN THE COURTROOM

The Supreme Court adopted Michigan Supreme Court Administrative Order 1989-1 governing film or electronic media coverage in all Michigan courts beginning March 1, 1989. Requests for film and electronic media coverage can be made through the use of SCAO Approved form MC 27, Request and Notice for Film and Electronic Media Coverage of Court Proceedings.

[Mich Sup Ct AO 1989-1]

11-04 PUBLIC INFORMATION PROGRAMS AND PAMPHLETS

A. Friend of the Court Informational Pamphlet

1. Authority

The friend of the court informational pamphlet, in accordance with the model pamphlet developed by the State Court Administrative Office, Friend of the Court Bureau, must be provided by each friend of the court office to the parties in a domestic relations matter at or near the commencement of each case.

[MCL 552.505(1)(a)]

At the time a complaint is filed or as soon as possible after the filing of a complaint, the plaintiff's attorney is required to provide a copy of the friend of the court informational pamphlet to the plaintiff and defendant. [MCR 3.203(D)]

2. Contents

The pamphlet is required to explain:

- a. the procedures of the court and the office;
- b. the duties of the office;
- c. the rights and responsibilities of the parties;
- d. the availability of and procedures used in domestic relations mediation;
- e. the availability of human services in the community;
- f. the availability of joint custody; and
- g. how to file a grievance regarding the office.

(see also Section 4-04, page 4-04-04)

The Model Friend of the Court Handbook is located on the State Court Administrative Office website at: http://courts.michigan.gov/scao/resources/publications/manuals/focb/focb_hbk.pdf.

B. Access to Justice Program

The Access to Justice Program is located within the Trial Court Services Division of the State Court Administrative Office. The primary focus of the program is to identify and eliminate racial, ethnic, and gender bias in the courts; to assist courts and the state justice system with responsibly, effectively, and sensitively addressing the issues associated with family and domestic violence; to implement and enhance programs and procedures in the courts that positively impact self represented litigants; and to educate and inform citizens about what they can reasonably expect in terms of treatment and service in the courts. More specifically, the focus of this program includes:

1. Providing technical assistance to trial courts. This includes development and implementation of equal opportunity policies and programs, employment procedures, personnel policies and procedures (including sexual harassment and bias free court environment provisions), performance evaluation criteria, staffing plans, compensation plans, and access to justice reviews.
2. Collecting and analyzing employment demographic data, the nature and disposition of complaints.
3. Serving as a resource and liaison for the Supreme Court and State Court Administrative Office with local judges, court administrators, court employees, State Bar, other state court systems, special interest groups, and the general public.
4. Developing educational materials for the public and judicial employees.
5. Developing training programs and informational seminars for access issues.
6. Researching and reviewing legislation, publications and court decisions regarding Racial/Ethnic and Gender Bias.
7. Developing and implementing a state level testing and certification program for foreign language interpreters.

Information concerning the Access to Justice Program has been disseminated to the public via posters and brochures and is also available at the State Court Administrative Office website at: <http://courts.michigan.gov/scao/services/access/access.htm>.

C. Domestic Relations Public Information Project

Since 1987, the State Court Administrative Office has been providing information to citizens and court users on domestic relations issues. More than 20 brochures (many also written in Spanish) are available free of charge to anyone who wants them. In addition, posters, video and audio public service announcements and client orientation programs have been developed.

Michigan is still the only state in the nation that enforces visitation on a statewide basis. In an effort to provide important information to parents on how the courts decide matters of custody, support and visitation, models on custody investigation and visitation and change of domicile investigation were developed, as was a child support guideline manual. The materials are available for purchase at a nominal fee.

Also, since 1987, the State Court Administrative Office has published a quarterly newsletter (The Pundit) for judges, prosecutors, child support specialists, mediators and court employees in an effort to ensure that they are aware of all the latest information on domestic relations matters.

For domestic relations resources, see the State Court Administrative Office website at: <http://courts.michigan.gov/scao/services/focb/focb.htm>.

D. Pro Se Forms Project

The State Court Administrative Office has developed a number of forms and instruction materials designed specifically for use by the pro se litigant in the following areas: 1) personal protection; 2) garnishment; 3) small claims; and 4) child support, parenting time, and custody. Future developments will be considered. Forms are available online at the State Court Administrative Office website at: <http://courts.michigan.gov/scao/courtforms/index.htm>.

E. AIDS Pamphlet

1. Authority

When an individual is arrested and charged with certain listed sex and drug offenses, the judge or magistrate responsible for setting an individual's conditions of release pending trial must give the individual an AIDS pamphlet provided by the Michigan Department of Community Health. [MCL 333.5129(2)]

2. Pamphlet Availability

The Michigan Department of Community Health has provided one copy of the pamphlet to each district and probate judge and a quantity of pamphlets to all district court administrator/clerks and all probate court registers. Reorder forms are available from:

Michigan Department of Community Health
HIV/AIDS Prevention and Intervention Section
PO Box 30035
Lansing, MI 48909
(517) 335-8371

A list of available public information pamphlets and other resources is at the State Court Administrative Office website at: <http://courts.michigan.gov/scao/resources/publications/>.

F. Developing Comprehensive Public Information Programs for Courts

The National Association for Court Management has produced a guide, Developing Comprehensive Public Information Programs for Courts, (June, 1996) which can be obtained by writing to:

National Association for Court Management
300 Newport Avenue
Williamsburg, VA 23187-8798

11-05 CRIME VICTIM'S RIGHTS

A. Constitutional Authority

Crime victims, as defined by law, shall have the following rights, as provided by law:

1. The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
2. The right to timely disposition of the case following arrest of the accused.
3. The right to be reasonably protected from the accused throughout the criminal justice process.
4. The right to notification of court proceedings.
5. The right to attend trial and all other court proceedings the accused has the right to attend.
6. The right to confer with the prosecution.
7. The right to make a statement to the court at sentencing.
8. The right to restitution.
9. The right to information about the conviction, sentence, imprisonment, and release of the accused.

The legislature may provide by law for the enforcement of this section.

[Const 1963, Art 1, Sec 24]

B. Crimes Committed by Adults

1. Authority

The Crime Victim's Rights Act creates rights for defined victims of crimes and their families. [MCL 780.751]

2. Purpose

The purpose of the Act is to lessen the frustration and confusion experienced by victims with the criminal justice system. It provides for information to be given to victims within specified time frames as to the availability of emergency medical care, financial assistance, and continuing help through the process by which the case is disposed.

3. Role of Law Enforcement Agencies and Prosecuting Attorney Office

The courts are assigned responsibilities under only a few of the provisions of the Act, the performance of the majority of duties falling upon law enforcement agencies and prosecuting attorneys' office.

Within 24 hours of the victim's contact with a law enforcement agency investigating a reported crime, the law enforcement agency must provide the victim with information concerning immediate needs such as medical and financial services. The prosecuting attorney's office is responsible for advising victims concerning procedural steps throughout the disposition of the case, all rights of the victim under the Act, eligibility under the Crime Victim Compensation Act [MCL 18.351], and the right of the victim to present to the prosecutor his/her views on case disposition. [MCL 780.756]

4. Role of the Court

The chief judge must set a hearing on the prosecutor's motion for a speedy trial within 10 days in instances where the victim has suffered child abuse or criminal sexual conduct. [MCL 780.759] Ancillary rights during the course of trial and at disposition post-trial also attach to crime victims generally, including the victim's right to make an "oral impact statement" to the court concerning sentencing and the courts' availability of restitution orders in favor of the victim at the time of sentencing. If full restitution is not ordered, the record shall indicate the reasons why. [MCL 780.765-766]

Within 48 hours after an arraignment for a serious misdemeanor, the court shall notify the prosecuting attorney of further proceedings.
[MCL 780.816] (See SCAO Approved form DC 255)

C. Offenses Committed by Juveniles

1. Authority

The Crime Victim's Rights Act creates rights for defined victims and their families in all cases where a juvenile is accused of any of the following offenses: [MCL 780.781]

- a. any felony
- b. assault
- c. aggravated assault
- d. entry without breaking

- e. soliciting of a child
- f. unlawful discharge of a firearm without injury
- g. unlawful discharge of a firearm with injury
- h. failure to stop at a personal injury accident
- i. drunk or impaired driving when a personal injury accident results

2. Purpose

The purpose of the act is to lessen the frustration and confusion experienced by victims with the criminal justice system. It provides for information to be given to victims within specified time frames as to the availability of emergency medical care, financial assistance, court procedure, and continuing help through the process by which the case is disposed.

3. Role of Law Enforcement Agencies

Within 24 hours of the victims contact with a law enforcement agency investigating a reported crime, the law enforcement agency must provide the victim with information concerning immediate needs such as medical and financial services, the address of the crime victims compensation board, how to contact the prosecuting attorney, and advice that the victim can contact the law enforcement agency for the status of the case. [MCL 780.782]

4. Role of the Prosecuting Attorney's Office

The prosecuting attorney's office may request detention of a juvenile based on a victim's affidavit asserting acts or threats of physical violence or intimidation. The prosecuting attorney must offer the victim an opportunity to consult with the prosecutor regarding dismissal, waiver, trial, and disposition. The prosecutor may request an in-camera hearing to suppress information regarding the victim's address, place of employment, or personal identification. Upon the request of the victim, the prosecutor must also notify the victim whether the juvenile has appealed, of the appeal process, whether the juvenile has been released on bail, and the time and place of appellate court proceedings as well as the results of an appeal.

[MCL 780.785, MCL 780.786, MCL 780.788, MCL 780.796]

5. Role of the Court

a. Notice of Detention Facility Phone Number

If a juvenile is detained, the court must advise the victim within 24 hours after the preliminary hearing of the phone number of the detention facility and tell the victim that s/he may contact the facility to determine whether the juvenile has been released. [MCL 780.785]

b. Notice Within 72 Hours of Complaint or Petition

Within 72 hours after the complaint or petition, the court must give each victim a written notice in plain English of:

- (1) a brief statement of the procedural steps in the processing of a juvenile case, including the fact that the juvenile may be waived to the criminal division of circuit court.
- (2) the victim's rights and procedures under Article II of the Crime Victim's Rights Act.
- (3) details and eligibility requirements under the crime victim's compensation law.
- (4) suggested procedures if the victim is subjected to threats or intimidation.
- (5) the person to contact for further information.

[MCL 780.786]

c. Notice of Hearings

If the victim requests, the court must notify the victim of any scheduled court hearings in the case including adjournments. [MCR 6.931(C)]

d. Provision of Waiting Area

The court must provide a waiting area for the victims separate from the juvenile, the juvenile's relatives, and the juvenile's witnesses if such an area is available and it's use is practical. If such an area is not available or practical, the court must provide other safeguards to minimize the victims contact with the juvenile, the juvenile's relatives, and the juvenile's witnesses. [MCL 780.787]

e. Notice Regarding Location of Juvenile After Adjudication/Trial

If the victim requests, the court must make a good faith effort to notify the victim before the juvenile is dismissed from court jurisdiction or transferred from a secure detention or treatment facility to a non-secure residential treatment facility located in the county in which the victim resides. The Michigan Family Independence Agency must do the same for state wards. If the victim requests, the court or the Michigan Family Independence Agency shall give the victim immediate notice of the juvenile's escape from a secure detention or treatment facility.

f. Ancillary Rights

Ancillary rights during the course of trial and at disposition post-trial also attach to crime victims generally, including the victim's right to make an oral impact statement to the court concerning disposition and the court's availability of restitution orders in favor of the victim at the time of sentencing.

(See also Section 6-15, page 6-15-01)

[MCL 780.785 - .799] and MCR 6.931(C)]

11-06 ADOPTION SUPPORT GROUPS

A. Authority

Under Public Act 175 of 1990 and Public Act 374 of 1996, circuit courts are required to provide parties to an adoption with a copy of a list of adoption support groups in certain circumstances. [MCL 710.26(3), MCL 710.68(8), MCL 710.68a(3)]

B. Responsibilities

1. Before or At Time of Hearing

Before or at the time of the hearing on the adoption petition, the court shall provide the adoptee, if he or she is 14 years old or older, and the adoptive parents with a list of adoption support groups. This subsection also applies to a stepparent adoption and the adoption of a child related to the petitioner within the fifth degree by marriage, blood, or adoption. [MCL 710.26(3)]

2. Before Executing Release

A release by a parent shall be executed only after the Family Independence Agency or child placing agency has provided that parent with a list of adoption support groups. [MCL 710.28(2)]

3. Upon Receipt of Written Request for Identifying Information

Once identifying information is released to an adult adoptee, and upon the request of the adult adoptee, biological parent, adult biological sibling, or adoptive parent, the child placing agency, court, or the Family Independence Agency shall provide for counseling or shall provide a list of adoption support groups to that person. [MCL 710.68(8)]

4. When Contacted

If the Family Independence Agency, a child placing agency, or the court is contacted by an adoptee, adult biological sibling, biological parent, or adoptive parent, within 14 days after the date of the contact, it shall provide the adoptee, adult biological sibling, biological parent, or adoptive parent with all of the following:

- a. a copy of the information pamphlet described in subsection (1).
- b. a list of adoption support groups.

- c. information about the provisions described in this section and section 68.

[MCL 710.68a(2)]

Each court should develop a list of available adoption support groups in Michigan and update the list at regular intervals. Multiple copies should be available at the court to provide to those individuals specified in the Act.

11-07 ACCESS, GENDER, AND RACIAL/ETHNIC ISSUES

In December, 1989, the Michigan Supreme Court was presented with two major reports concerning racial/ethnic and gender issues in the courts. The reports came from the Racial/Ethnic and Gender Issues Task Forces which had been created by the Court in 1987 to investigate the treatment of females and minorities in the courts. Each report contained over 150 recommendations and called for significant changes in the justice system. The recommendations were addressed not only to the judiciary but to law schools, the private bar, county prosecutor operations and other law enforcement agencies, and the state legislature.

In response to the Racial/Ethnic and Gender Issues Task Forces' recommendations, the Supreme Court is committed to eliminating all forms of biased behavior from the courts. A substantial number of the recommendations made by the bias task forces have either been implemented or are in the process of being implemented. Many of the implementation efforts are continuous or ongoing (for example, court rule revision, training, public education, and management assistance).

In addition, the Supreme Court has urged trial courts and other external organizations including the State Bar Association to review and continually emphasize bias free behavior. All forms, written communications, and brochures provided by courts should be examined and updated to ensure gender and racial/ethnic neutrality. (see also Section 1-07, page 1-07-01 and Section 5-01, pages 5-01-02 and 5-01-03)

In response to the recommendations, the State Court Administrative Office has:

1. Created models and guidelines for courts on child support, visitation, and custody issues.
2. Included review of issues on race and gender bias when conducting management studies and investigations.
3. Developed model policies for courts on sexual harassment, family leave, equal opportunity employment, and employee performance evaluations.
4. Created and distributed a poster and brochure on the importance of bias-free behavior in the courts.
5. Created pro se forms and instructions for use in circuit courts to facilitate the process of review of applications for domestic violence and stalking protection orders and provided training to court and county clerk staff.
6. Established staff positions within the State Court Administrative Office and the Michigan Judicial Institute to continue the process of implementing recommendations of the Citizen's Commission and the Michigan Supreme Court Task Forces on Gender and Racial/Ethnic Issues in the Courts.

7. Offered a training program for judges and court administrators on the use of interpreters in the courts.
8. Developed pro se forms and instructions that can be used to modify a child support order, and is currently pilot testing pro se forms and instructions for child visitation.

Additionally, the Supreme Court has: 1) directed chief judges to develop Equal Employment Opportunity plans and directed that the plans and other information on court employment and appointments be provided to the State Court Administrative Office; and 2) strengthened the Rules of Professional Conduct and the Code of Judicial Conduct regarding discrimination.

The Michigan Judicial Institute has provided a number of training seminars since the Task Force reports were issued in 1989.

For a report on the specific recommendations implemented, see the 1997 Summary Report on Supreme Court's Efforts to Implement Recommendation of Citizens Commission to Improve Michigan Courts and the Race/Ethnic and Gender Issues Task Forces at the SCAO website at: <http://courts.michigan.gov/scao/resources/other/biassum.pdf>.

To help in determining accessibility of a courthouse, see a checklist at the State Court Administrative Office website at: http://courts.michigan.gov/scao/resources/standards/aj_checklist.pdf.